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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 **MARVIN G. HOLLIS,**

Plaintiff,

15  
16 v.

17 **ELOY MEDINA,**

Defendants.

C 07-2980 TEH (PR)

**DECLARATION OF  
CYNTHIA C. FRITZ IN  
SUPPORT OF DEFENDANT'S  
OPPOSITION TO COMPEL  
DISCOVERY AND STAY THE  
MOTION TO DISMISS**

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20 I, Cynthia C. Fritz, declare and state:

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22 1. I am employed by the Office of the California Attorney General as a Deputy Attorney  
23 General in the Correctional Law Section. I am admitted to practice before this Court and courts  
24 of the State of California. I have been assigned to represent Defendant E. Medina (Defendant) in  
25 this case. I am competent to testify to the matter set forth in this declaration, and if called upon  
26 to do so, I would and could so testify. I submit this declaration in support of Defendant's Motion  
27 to Stay Discovery.

28 2. On January 3, 2008 and January 6, 2008, Plaintiff served by mail a Request for

1 Production of Documents, Set One, and the First Set of Interrogatories on Defendant.

2 3. On January 31, 2008, the discovery was returned because Defendant had not been  
3 personally served or appeared in the action.

4 4. On February 4, 2008, Plaintiff served by mail the First Set of Request for Admissions on  
5 Defendant.

6 5. On February 19, 2008, Plaintiff served by mail the Request for Production of  
7 Documents, Set One, First Set of Interrogatories, and First Set of Request for Admissions for the  
8 second time.

9 6. Defendant served by mail a response to the First Set of Admissions on March 5, 2008.

10 7. Defendant had not been personally served, acknowledged waiver of service, or appeared  
11 in this action when the discovery was served.

12 I declare under penalty of perjury that the foregoing is true and correct. Executed March 21,  
13 2008, at San Francisco, California.

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16 Cynthia C. Fritz  
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